

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:09-00035

JESSE LEE KESSINGER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On May 1, 2014, the United States of America appeared by C. Haley Bunn, Assistant United States Attorney, and the defendant, Jesse Lee Kessinger, appeared in person and by his counsel, Gregory J. Campbell, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a thirty-month term of supervised release in this action on October 11, 2013, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on August 6, 2013.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the special condition that he spend six months in a community confinement center inasmuch as he arrived at Dismas Charities on October 11, 2013, and left the facility on January 17, 2014, without informing the staff or his probation officer, rendering his whereabouts unknown; (2) the defendant failed to notify the probation officer of his change in residence as set forth above; and (3) the defendant left the Southern District of West Virginia without permission as evidenced by his arrest on March 14, 2014, in the Northern District of Ohio; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

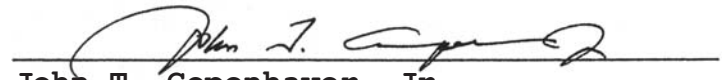
imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of twenty-four (24) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 2, 2014



John T. Copenhaver, Jr.
United States District Judge